

THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

CEM 15-08-09

**RESOLUTION OF THE
COMMISSION ON EMERGENCY MANAGEMENT**

**DECLARING A STATE OF EMERGENCY DUE TO AN UNEXPECTED RELEASE OF
CONTAMINATED WASTEWATER FROM THE GOLD KING MINE NEAR SILVERTON,
COLORADO**

WHEREAS:

1. Pursuant to 2 N.N.C., §§ 881 and 883 (A) (C), the Navajo Nation Council established the Navajo Nation Commission on Emergency Management to coordinate emergency and disaster relief service by Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management; and to recommend to the Navajo Nation Council legislation or other appropriate activity regarding natural and man-made emergencies; and
2. Pursuant to 2 N.N.C., § 884 (B) (1), the Navajo Nation Commission on Emergency Management is responsible for declaring a state of emergency with the concurrence of the President of the Navajo Nation; and
3. Pursuant to 2 N.N.C., § 884 (B) (2), the Navajo Nation Commission on Emergency Management will assist in seeking assistance from federal, state, and other tribal governments, local and private agencies to address emergency and disaster related situations; and
4. On August 5, 2015, an unexpected release of contaminants occurred from the Gold King Mine near Silverton, Colorado and entered the Animas River; and
5. Since August 5, 2015, the contaminants have entered into the San Juan River and the plume of contaminants continues to travel towards the Navajo Nation; and
6. The contaminants are comprised of several potentially harmful chemicals, such as heavy metals, with unknown risks to human health, environment and terrestrial wildlife; and
7. The contaminants from the release of mine wastewater has further caused risks to free roaming livestock, wildlife, irrigation practices and other uses by the Navajo people; and
8. The duration of future impacts to the Navajo Nation are still not fully known and as a result, there is a continued need for an increased level of multi-agency efforts to resolve all issues related to this release; and

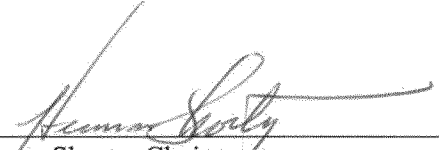
NOW, THEREFORE BE IT RESOLVED:

1. That the Navajo Nation Commission on Emergency Management declares a State of Emergency due to an Unexpected Release of Contaminated Wastewater from the Gold King Mine Near Silverton, Colorado; and

2. The Navajo Nation Commission on Emergency Management finds it is necessary for appropriate Navajo Nation entities to continue and/or immediately begin and maintain coordination and collaboration with relevant agencies, e.g., Federal, State, Counties, and Municipalities, for use of resources to meet the needs of the Navajo Nation public. This includes, but not limited to, resources of personnel, equipment, monetary funding, and other resources as may be required to protect natural, cultural, historical natural resources as well as substantial human health, safety and welfare of the citizens of the Navajo Nation; and
3. The Navajo Nation shall activate available emergency resources such as community education, assistance, and other means as determined fit and feasible to restore and sustain vital community infrastructure.

CERTIFICATION

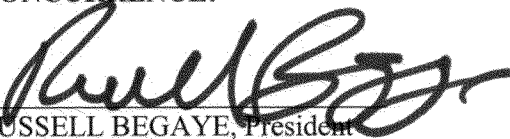
We hereby certify that the foregoing declaration was duly considered by the Navajo Nation Commission on Emergency Management at duly called meeting in Tse Bonito, Navajo Nation, New Mexico, at which a quorum was present that the same was passed by a vote of 4 in favor and 0 opposed and 0 abstained, this 9th day of August 2015.



Herman Shorty, Chairperson
Commission on Emergency Management
Navajo Nation

Motion: Dicky Bain

Second: Eugenia Quintana

CONCURRENCE:


RUSSELL BEGAYE, President
THE NAVAJO NATION


JONATHAN NEZ, Vice President
THE NAVAJO NATION